

R E M A R K S

Claims 1 through 40 are in the application. Claims 1, 10, 16-19, 22, 24, 26, 30, and 32 are currently amended and claims 2-9, 11-15, 20, 21, 23, 25, 27-29, and 31-40 remain unchanged from the original versions thereof. Claims 1, 10, 16, 22, 24, 30, and 32 are the independent claims herein.

The claim amendments submitted herewith are made to clarify that which is claimed by Applicants. No new matter is added to the application as a result of the amendments submitted herewith.

Entry of the presently presented amendments and remarks are respectfully requested, as well as reconsideration of the application.

Claim Rejections Under 35 USC § 103(a)

Claims 1-6, 8-11, and 13-40 were rejected as being unpatentable over Jones et al., U.S. Patent No. 6,697,944 B1 (hereinafter Jones) in view of Bouet et al, Publication No. US 2002/0065778 A1 (hereinafter Bouet). This rejection is respectfully traversed

Independent claims 1, 10, 16, 22, 24, 30, and 32 relate to methods, medium, apparatuses, and systems for transferring electronic information. In particular, claims 1, 16, 24, 30, and 32 relate to receiving a command to transmit a portion of a file of electronic information, and in response the received command to transmit a portion of a file of electronic information, automatically copying the portion of the file of electronic information to create a copied file, transmitting the copied file to an entity, and rendering the portion of the file unusable. Accordingly, the original portion of the filed copied per the command to transmit is rendered unusable. Claims 10, 22, and 30 relate to providing a file of information, receiving a copy of a portion of the file of electronic information, and receiving a certificate certifying the portion of

the filed copied is rendered unusable. Accordingly, a certificate is received authenticating that the portion of the file that has been copied is rendered unusable.

Clearly, Applicants claim rendering a portion of a file that is copied and transmitted unusable. As stated in the specification, at least at paragraph [0010], by rendering the portion of the file of electronic information unusable after copying thereof, no additional usable copies of the portion of the file may remain.

Regarding the cited and relied upon Jones and Bouet, Applicants first note that the Office Action admits that the cited and relied upon Jones does not explicitly disclose transmitting a copied file and rendering the original portion of the file of electronic information unusable. Not only does Jones not explicitly disclose transmitting a copied file and rendering the original portion of the file of electronic information unusable, Applicants respectfully submit that Jones also does not suggest, even implicitly, transmitting a copied file and rendering the original portion of the file of electronic information unusable.

Applicants further note that Jones purports to disclose a complete digital content distribution, transmission, and protection system and method. Jones discloses establishing a trusted relationship over, for example, a USB port between authentication interfaces over the USB port. Of all the trusted relationship levels disclosed in Jones (e.g., high, medium, and low) to authenticate the propriety of file copying, Jones does not disclose or suggest transmitting a copied file and rendering the original portion of the file of electronic information unusable.

The Office Action states that it would have been obvious to modify Jones to include a copyright tag as disclosed in Bouet to track illegal recordings and protect copyrights. The Office Action further states that it would have been obvious to transmit and render a portion of the file of electronic information unusable because the tag would inform the provider how many times a consumer made a copy of the file.

However, the motivation to combine provided in the Office Action is not supported by the cited and relied upon references since Jones appears to disclose a complete system for

distribution of digital content (without the claimed transmitting a copied file and rendering the original portion of the file of electronic information unusable), and adding the Bouet copyright tag would require modifying the original file. No such file modification is disclosed, suggested, or even shown feasible given the methodology of Jones that relies on authentication over USB ports and establishment of a trusted relationship, not a number of allowable copies. That is, the modification of Jones by Bouet alleged and relied upon by the Office Action appears to be contrary to the disclosure of Jones, and in fact appears to teach away from the substantial and detailed disclosure provided by Jones.

Furthermore, even if Jones were somehow modified to include the Bouet copyright tag (not admitted as feasible by Applicants), the alleged Jones/Bouet combination would not render claim 1 obvious since, in addition to the foregoing reasons, a file copied under such a system or method would, at most, be prohibited from being copied further. That is, the asserted and relied upon Jones/Bouet combination does not disclose or suggest rendering the original file unusable, only unable of being further copied.

Accordingly, Applicants respectfully submit that claim 1 is patentable over the cited and relied upon Jones and Bouet under 35 USC 103(a) for at least the reasons stated hereinabove. The rejection of independent claims 10, 16, 22, 24, 30, and 32 also relies on modifying Jones by incorporating the copyright tag disclosed in Bouet. That is, the reasoning provided by the Office Action for rejecting claims 10, 16, 22, 24, 30, and 32 is similar to the reasoning discussed hereinabove regarding claim 1. Applicants reiterate that the cited and relied upon Jones and Bouet does not disclose or suggest transmitting a file and/or rendering an original file that has been copied unusable.

Therefore, Applicants respectfully submit that all of independent claims 1, 10, 16, 22, 24, 30, and 32 are patentable over the cited and relied upon Jones and Bouet for at least the foregoing reasons. Furthermore, claims 2-6, 8, 9, 11, 13-15, 17-21, 23, 25-29, and 33-44 depend from claims 1, 10, 16, 22, 24, 30, and 32. Applicants respectfully submit that the dependent claims are patentable over the cited and relied upon Jones and Bouet for at least the same reasons stated above regarding claims 1, 10, 16, 22, 24, 30, and 32. Accordingly, Applicants respectfully

request the reconsideration and withdrawal of the rejection of claims 1-6, 8-11, and 13-40, and the allowance of same.

Claims 7 and 12 were rejected as being unpatentable over Jones, in view of Bouet, and in further view of Ananda, U.S. Patent No. 6,671,813 B2 (hereinafter, Ananda). This rejection is respectfully traversed.

The rejection of claims 7 and 12 directly and fully relies on the reasoning provided in the 35 USC 103(a) rejection of the independent claims discussed hereinabove. Now that Applicants have clearly shown that the cited and relied upon Jones and Bouet fail to disclose that for which they are cited and relied upon for disclosing, Applicants respectfully submit that dependent claims 7 and 12 are also patentable over the cited and relied upon Jones and Bouet references.


Accordingly, Applicants respectfully submit that dependent claims 7 and 12 are patentable over the cited and relied upon Jones and Bouet combination under 35 USC 103(a). Accordingly, Applicants respectfully request the reconsideration and withdrawal of the rejection of claims 7 and 12, and the allowance of same.

CONCLUSION

Accordingly, Applicants respectfully request allowance of pending claims 1-40. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-5985.

Respectfully submitted,

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Date



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